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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,382	10/15/2003	Alfons Ziegler	2001P07203WOUS	4467
28204	7590	01/10/2008	EXAMINER	
SIEMENS SCHWEIZ AG I-47, INTELLECTUAL PROPERTY ALBISRIEDERSTRASSE 245 ZURICH, CH-8047 SWITZERLAND			WAI, ERIC CHARLES	
			ART UNIT	PAPER NUMBER
			2195	
			MAIL DATE	DELIVERY MODE
			01/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/684,382

Applicant(s)

ZIEGLER, ALFONS

Examiner

Eric C. Wai

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-7 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack antecedent basis in the claims:

- i. Claim 1 line 14, "the second information unit".

- b. The following terms are not clearly understood:

- ii. Claim 1 lines 5-7 recite, "communication between the buses and display units is established via second information units". It is unclear from where the second information units originate from (i.e. do they originate from the central unit?). Line 15 recites, "processing a second information with priority". It is unclear where the "second information" originates from (i.e. is it contained within the second information unit?).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gehrig (US Pat No. 5,937,358) in view of Felt (US Pat No. 6,128,742).

6. Felt was disclosed on IDS dated 03/08/2004.

7. Regarding claim 1, Gehrig teaches a method for processing of information that is transmitted via wireless communication between centers and buses and display units of a traffic control system (col 1 lines 14-16), whereby first information units are communicated from at least one central unit to the buses and display units (col 1 lines 24-28), and communication between the buses and display units is established via second information units (col 1 lines 24-28).

8. Gehrig does not teach processing a second information with priority by a display unit if the individual peripheral unit has previously received a key code transmitted with the first information unit and the key code corresponds to another key code contained in the second information unit.

9. Felt discloses an authentication method using password sets in which a password is provided to both a first party and second party (col 1 lines 56-58). A

message encoded with the password can be transmitted from the first party to a second party and authenticated as being authentic (col 1 lines 60-65).

10. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Felt with the traffic control system of Gehrig. Gehrig's system is composed of many devices that use wireless radio transmissions. One would be motivated by the desire to secure the system of Gehrig from threats of unauthorized users as taught by Felt (col 1 lines 12-16). By verifying the key code contained in the second information unit, it can be concluded that priority is given to the second information for processing, since if the key code did match, then the second information would be ignored.

11. Both Gehrig and Felt seek to improve the administration of networked devices and therefore are in the same field of invention.

12. Regarding claim 2, Gehrig teaches that communication between the buses and display units takes place on a different frequency than the frequency that is used for communication between at least one central unit and the buses and display units (col 1 lines 24-28).

13. Regarding claim 3, Gehrig teaches that communication between the buses and display units takes place in the infrared range (col 1 lines 42-44).

14. Regarding claim 4, Gehrig and Felt do not teach that the communication between the buses and display units takes place on the same frequency as is used for communication between at least one central unit and the buses and display units, but that the transmitter power for the communication between the buses and display units is reduced to such an extent that the range is limited to the immediate environment of a bus unit.

15. It would have been obvious to one of ordinary skill in the art at the time of the invention to include transmitting on the same frequency when communicating with both the central unit and buses and display units. One would be motivated by the desire to reduce the complexity of the radio used in the devices.

16. Regarding claim 5-6, Gehrig and Felt do not teach using information that specifies the type of prioritized processing.

17. It is well known in the art to implement quality of service (QOS) protocols for processing of messages. One would be motivated by the desire to ensure that a desired level of effort is made in the networked computer system of Gehrig and Felt.

18. Regarding claim 7, Gehrig and Felt do not teach that after a prioritized processing has been completed, the key code in the relevant display unit is expended.

19. Felt does teach modifying the password set each time (col 2 lines 35-53). It would have been obvious to one of ordinary skill in the art at the time of the invention to

include expending the key code. One would be motivated by the desire to ensure that the key code was not compromised.

Response to Arguments

20. Applicant's arguments filed 10/24/2007 have been fully considered but they are not persuasive.

21. Applicant argues:

"Felt's method of authenticating the identity of a party, however, does not disclose or suggest a prioritized processing of information in the sense of the present invention."

22. Examiner disagrees. Felt's method of authenticating would process the authenticated message and ignore unauthenticated messages. Read another way, authenticated messages are given priority, and unauthenticated messages are not given any. In this interpretation, Felt reads upon the claimed invention. Applicant's claim 1 only claims "processing a second information with priority" and does not indicate how the priority is specifically utilized to process the second information.

23. Applicant argues:

24. "Absent impermissible hindsight, the combination of Gehrig and Felt would not disclose or suggest what to do following a correct authentication of the identity. As stated above, amended Claim 1 defines that a display unit processes a second

information with priority if the previously received key code corresponds to the other key code contained in the second information unit.”

25. The combination of Gehrig and Felt would have been obvious to one of ordinary skill in the art. Felt is very clear that a first party and second party are provided with password sets by some administrative source (col 1 line 50 to col 2 line 1). One of ordinary skill would have known to modify the system of Gehrig in the same manner by utilizing a central unit to perform administrative functions such as assigning password sets to secure communications between a first and second party (i.e. buses and display units). Furthermore, the combination of Gehrig and Felt read upon the claimed invention for the reasons stated above.

Conclusion

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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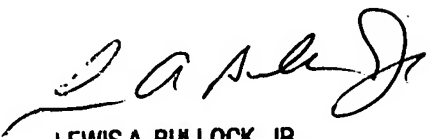
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric C. Wai whose telephone number is 571-270-1012. The examiner can normally be reached on Mon-Thurs, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng - Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EW


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER